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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 SAN FRANCISCO DIVISION
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11 UNITED STATES OF AMERICA,) No. 11-MJ-71425-MAG
12 Plaintiff,)
13 v.) ORDER DETAINING DEFENDANT
14 PEDRO DANIEL RODRIGUEZ,) PENDING TRIAL
15 Defendant.)
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17 The defendant, PEDRO DANIEL RODRIGUEZ, is charged in a criminal complaint with
18 possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1). The
19 complaint alleges that on December 29, 2011 Defendant flew from Guadalajara, Mexico to San
20 Francisco, California and that at the San Francisco airport it was discovered that his luggage,
21 together with the luggage of a traveling companion, contained over 15 pounds of
22 methamphetamine, among other things.

23 Defendant made his initial appearance on December 30, 2011. The United States moved
24 for detention based on the presumption set forth in 18 U.S.C. § 3142(e)(3). The Court held a
25 detention hearing on January 6, 2012. Defendant was present and represented by counsel,
26 Elizabeth Falk. The government was represented by Assistant United States Attorney Aaron
27 Wegner. The parties proceeded by proffer. Both sides had an opportunity before the hearing to
28 review a report prepared by Pretrial Services. The report recommended detention based on risk

ORDER RE: DETENTION
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1 of non-appearance that could not be addressed by appropriate conditions of release.

2 After considering the evidence and the parties' arguments, the Court orders that
3 Defendant be detained pending trial. The Court finds by a preponderance of the evidence that a
4 serious risk exists that Defendant will flee and that, under 18 U.S.C. § 3142(e), no condition or
5 combination of conditions will reasonably assure his appearance as required for the following
6 reasons:

7 1. Defendant does not have significant family ties or personal ties to the San Francisco
8 Bay Area; indeed, while Defendant is a United States citizen, Defendant resides in Mexico
9 where his family resides.


10 2. Defendant does not have sufficient assets in the United States to post bail, nor sureties
11 with sufficient United States assets to post bail;

12 3. If convicted as charged in the Complaint, Defendant faces a mandatory minimum
13 prison sentence of 10 years, which creates a strong incentive for Defendant to flee.

14 Based on the foregoing, the United States' motion for detention is GRANTED. IT IS
15 HEREBY ORDERED that Defendant be detained pending trial pursuant to 18 U.S.C. § 3142 and
16 is hereby committed for that purpose to the custody of the U.S. Marshal.

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18 **IT IS SO ORDERED**

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20 DATED: January 6, 2012



JACQUELINE SCOTT CORLEY
United States Magistrate Judge